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## Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 PIRELLI ARMSTRONG TIRE ) No. 3:11-cv-02369-SI  
15 CORPORATION RETIREE MEDICAL )  
16 BENEFITS TRUST, Derivatively on Behalf of ) **(Consolidated)**  
17 WELLS & FARGO COMPANY, )  
18 Plaintiff, ) STIPULATION AND [PROPOSED] ORDER  
19 vs. ) ADJUSTING BRIEFING SCHEDULE ON  
20 JOHN G. STUMPF, et al., ) INDIVIDUAL DEFENDANTS' MOTION  
21 Defendants, ) TO DISMISS THE CONSOLIDATED  
22 – and – ) COMPLAINT AND MAINTAINING THE  
23 WELLS FARGO & COMPANY, a Delaware ) HEARING DATE CURRENTLY SET FOR  
corporation, ) JANUARY 27, 2012  
24 Nominal Defendant. )

1           WHEREAS, the parties to the above-captioned action hereby submit this Stipulation and  
2 [Proposed] Order Adjusting Briefing Schedule on Individual Defendants' Motion to Dismiss the  
3 Consolidated Complaint and Maintaining the Hearing Date Currently Set for January 27, 2012;

4           WHEREAS, on September 12, 2011, lead plaintiffs Pirelli Armstrong Tire Corporation  
5 Retiree Medical Benefits Trust and City of Westland Police and Fire Retirement System filed their  
6 Verified Consolidated Shareholder Derivative Complaint for Breach of Fiduciary Duty, Abuse of  
7 Control, Gross Mismanagement and Corporate Waste ("Consolidated Complaint") (Dkt. No. 59);

8           WHEREAS, on October 5, 2011, defendants John G. Stumpf, Howard I. Atkins, John D.  
9 Baker II, John S. Chen, Lloyd H. Dean, Susan E. Engel, Enrique Hernandez, Jr., Donald M. James,  
10 Richard D. McCormick, Mackey J. McDonald, Cynthia H. Milligan, Nicholas G. Moore, Philip J.  
11 Quigley, Judith M. Runstad, Stephen W. Sanger and Susan G. Swenson ("Individual Defendants"),  
12 filed their motion to dismiss the Consolidated Complaint;

13          WHEREAS, on September 28, 2011, the Court granted a stipulation and proposed order  
14 regarding the schedule for motions to dismiss, setting the hearing on the motion to dismiss and case  
15 management conference for December 9, 2011;

16          WHEREAS, on October 4, 2011, the parties submitted a stipulation and proposed order  
17 informing the Court of scheduling conflicts on December 9, 2011 and requesting that the Court  
18 continue the hearing on the motion to dismiss and case management conference from December 9,  
19 2011 to January 27, 2012;

20          WHEREAS, on October 4, 2011, the Court entered the Stipulation and Order Continuing  
21 Hearing for Individual Defendants' Motion to Dismiss and Case Management Conference, setting  
22 the hearing on the motion for January 27, 2012 (Dkt. No. 64); and

23          WHEREAS, the parties have met and conferred and agreed, in light of the continued hearing  
24 date to January 27, 2012, to adjust the briefing schedule on the motion to dismiss while maintaining  
25 the hearing date of January 27, 2012.

26          NOW THEREFORE, the undersigned parties by and through their counsel of record hereby  
27 stipulate and agree as follows subject to the approval of the Court:

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1       1. Plaintiffs' opposition to the Individual Defendants' motion to dismiss, currently  
2 scheduled to be filed on November 4, 2011, shall be extended to November 18, 2011;

3       2. Individual Defendants' reply in support of motion to dismiss currently scheduled to  
4 be filed on November 18, 2011 shall be extended to December 16, 2011; and

5       3. The date of January 27, 2012 for the hearing on defendants' motion to dismiss and  
6 case management conference shall remain unaltered.

7 DATED: October 21, 2011

ROBBINS GELLER RUDMAN  
& DOWD LLP  
SHAWN A. WILLIAMS

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s/ Shawn A. Williams  
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1 DATED: October 21, 2011

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5 s/ Sarah A. Good (w/permission)  
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Cynthia H. Milligan, Nicholas G. Moore, Philip  
J. Quigley, Judith M. Runstad, Steven W. Sanger  
and Susan G. Swenson

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I, Shawn Williams, am the ECF User whose ID and password are being used to file this  
Stipulation and [Proposed] Order Adjusting Briefing Schedule on the Individual Defendants' Motion  
to Dismiss the Consolidated Complaint. In compliance with General Order 45, X.B., I hereby attest  
that Sarah A. Good has concurred in this filing.

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s/ Shawn A. Williams  
SHAWN A. WILLIAMS

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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DATED: 10/24/11

  
THE HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2011, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 21, 2011.

s/ Shawn A. Williams  
SHAWN A. WILLIAMS

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## Mailing Information for a Case 3:11-cv-02369-SI

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### Manual Notice List

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